

Debra P. Hackett
Clerk, U.S. District Court
15 LEE ST STE 206
MONTGOMERY AL 36104-4055

November 16, 2007

Appeal Number: 07-14652-A

Case Style: Sterling Ray McCrary v. Alabama Court of Criminal
District Court Number: 07-00725 CV-W-N

TO: Debra P. Hackett

CC: Sterling Ray McCrary

CC: Administrative File

CC: Administrative File

United States Court of Appeals

Eleventh Circuit
56 Forsyth Street, N.W.
Atlanta, Georgia 30303

Thomas K. Kahn
Clerk

For rules and forms visit
www.call.uscourts.gov

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The enclosed certified copy of this Court's order dismissing the appeal for lack of jurisdiction is issued as the mandate of this court. See 11th Cir. R. 40-4 and 11th Cir. R. 41-4.

The district court clerk is requested to acknowledge receipt on the copy of this letter enclosed to the clerk.

Sincerely,

THOMAS K. KAHN, Clerk

Reply To: Deborah Owens (404) 335-6180

Encl.

United States Court of Appeals

Eleventh Circuit
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Atlanta, Georgia 30303

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IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 07-14652-A

FILED
U.S. COURT OF APPEALS
ELEVENTH CIRCUIT

NOV 16 2007

THOMAS K. KAHN
CLERK

STERLING RAY MCCRARY,

Plaintiff-Appellant,

versus

ALABAMA COURT OF CRIMINAL APPEALS,
SUPREME COURT OF ALABAMA,

Defendants-Appellees.

Appeal from the United States District Court for the
Northern District of Alabama

Before: TJOFLAT, BIRCH, and BLACK, Circuit Judges.

BY THE COURT:

This appeal is DISMISSED, sua sponte, for lack of jurisdiction. The October 1, 2007, notice of appeal is untimely to contest the district court's August 29, 2007, order dismissing McCrary's complaint pursuant to 28 U.S.C. § 1915A(b)(1). See Fed.R.App.P. 4(a)(1)(A); Rinaldo v. Corbett, 256 F.3d 1276, 1278 (11th Cir. 2001).

No motion for reconsideration may be filed unless it complies with the timing and other requirements of 11th Cir.R. 40-4 and all other applicable rules.

A True Copy - Original
Clerk U.S. Court of Appeals
for the Eleventh Circuit
George J. Davis
Atlanta, Georgia